

# THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

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## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

##### Entire Executive Civil Service

Effective upon publication in the FEDERAL REGISTER, paragraphs (k) and (o) of § 6.101 are amended as set out below.

##### § 6.101 Entire Executive Civil Service.

(k) Subject to prior approval of the Commission, positions requiring temporary, part-time, or intermittent employment in wage board type occupations (i.e., positions excluded from Classification Act coverage by section 202(7) of the Act) on construction or repair work, where the activity is carried on in localities where examination coverage for the positions has not been provided and where because of employment conditions there is a shortage of available candidates for the positions. Appointments under this paragraph shall not extend beyond one year, and the employment thereunder shall not exceed 180 working days a year. Seasonal employments of a recurring nature are not authorized under this paragraph.

(o) Nonsupervisory positions of custodial laborer (levels 1, 2, and 3) and general laborer (levels 2 and 3) in field establishments outside central office and regional office cities of the Commission where examination coverage has not been provided for the positions, as follows:

(1) For temporary, intermittent, or seasonal employment (exclusive of positions covered by paragraph (k) of this section) not to exceed 180 working days a year in the Departments of Agriculture, Commerce, and Interior, and in the International Boundary and Water Commission; or

(2) When it is specifically held by the Commission that this authority is applicable, for employment in localities that are isolated with respect to labor supply and where there is a shortage of available candidates for the positions.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] WM. C. HULL,  
Executive Assistant.

[F.R. Doc. 59-771; Filed, Jan. 28, 1959; 8:47 a.m.]

## Title 7—AGRICULTURE

### Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

#### PART 723—CIGAR-FILLER TOBACCO, CIGAR-BINDER TOBACCO, AND CIGAR-FILLER AND BINDER TO- BACCO.

##### Cigar-Filler (Type 41) Tobacco; National Marketing Quota

Proclamation of a national marketing quota for cigar-filler (type 41) tobacco for each of the three marketing years beginning October 1, 1959, and announcement and apportionment of the national marketing quota for cigar-filler (type 41) tobacco for the 1959-60 marketing year.

##### § 723.805 Basis and purpose.

(a) Sections 723.805 and 723.806 are issued (1) to establish the reserve supply level and the total supply of cigar-filler (type 41) tobacco for the marketing year beginning October 1, 1958; (2) to proclaim a national marketing quota for cigar-filler (type 41) tobacco for each of the three marketing years beginning October 1, 1959; (3) to announce the amount of the national marketing quota for cigar-filler (type 41) tobacco for the marketing year beginning October 1, 1959; and (4) to apportion such quota. The findings and determinations by the Secretary contained in § 723.806 have been made on the basis of the latest available statistics of the Federal Government, and after due consideration of data, views, and recommendations received from cigar-filler (type 41) tobacco producers and others as provided in a notice (23 F.R. 7587) given in ac-

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## CFR SUPPLEMENTS

(As of January 1, 1959)

The following semiannual cumulative pocket supplement is now available:

Title 46, Parts 146-149,  
1958 Supplement 2 (\$1.50)

Order from Superintendent of Documents, Government Printing Office,  
Washington 25, D. C.

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cordance with the Administrative Procedure Act (5 U.S.C. 1003).

(b) Since the Agricultural Adjustment Act of 1938, as amended, requires the holding of a referendum of cigar-filler (type 41) tobacco growers within 30 days after issuance of the proclamation of the national quota for such kind of tobacco to determine whether such producers favor marketing quotas, it is hereby found that compliance with the 30-day effective date provision of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the proclamation and the announcement and apportionment of the national marketing quota for cigar-filler

(type 41) tobacco for the 1959-60 marketing year contained herein shall become effective upon the date of filing with the Director, Division of the Federal Register.

§ 723.806 Findings and determinations with respect to the amount of the national marketing quota for cigar-filler (type 41) tobacco for the marketing year beginning October 1, 1959.<sup>1</sup>

(a) *Reserve supply level.* The reserve supply level for cigar-filler (type 41) tobacco is 138.2 million pounds, calculated as provided in the Agricultural Adjustment Act of 1938, as amended, from a normal year's domestic consumption of 47.6 million pounds and a normal year's exports of 0.4 million pounds.

(b) *Total supply.* The total supply of cigar-filler (type 41) tobacco for the marketing year beginning October 1, 1958, is 154.5 million pounds, consisting of estimated carry-over of 103.5 million pounds and estimated 1958 production of 51.0 million pounds.

(c) *Carry-over.* The estimated carry-over of cigar-filler (type 41) tobacco on October 1, 1959 is 103.4 million pounds calculated by subtracting the estimated disappearance for the marketing year beginning October 1, 1958 of 51.1 million pounds from the total supply of such tobacco.

(d) *National marketing quota.* The amount of cigar-filler (type 41) tobacco which will make available during the marketing year beginning October 1, 1959 a supply of cigar-filler (type 41) tobacco equal to the reserve supply level of such tobacco is 34.8 million pounds, and a national marketing quota of such amount is hereby announced. It is determined, however, that a national marketing quota in the amount of 34.8 million pounds would cause undue restriction of marketings during the 1959-60 marketing year and such amount is hereby increased by 20 percent. Therefore, the amount of the national marketing quota for cigar-filler (type 41) tobacco in terms of the total quantity of tobacco which may be marketed during the marketing year beginning October 1, 1959, is 41.8 million pounds.

(e) *Apportionment of the quota.* Since cigar-filler (type 41) tobacco is grown only in Pennsylvania, the quota is apportioned only to that State under section 313(a) of the Agricultural Adjustment Act of 1938, as amended. The national marketing quota, less 418,000 pounds reserved for establishing allotments for new farms, becomes the State marketing quota for Pennsylvania. The State marketing quota is hereby converted in accordance with section 313(g) of the Act into a State acreage allotment of 25,831 acres. Likewise, the reserve of 418,000 pounds for establishing allotments for new farms is hereby converted into 261 acres.

(Sec. 375, 52 Stat. 66, as amended; 7 U.S.C. 1375. Interpret or apply secs. 301, 312, 313, 52 Stat. 38, as amended; 46 as amended; 47 as amended; 7 U.S.C. 1301, 1312, 1313)

<sup>1</sup> Rounded to the nearest tenth of a million pounds.

Done at Washington, D.C., this 26th day of January 1959. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,  
Acting Secretary of Agriculture.

[F.R. Doc. 59-776; Filed, Jan. 28, 1959;  
8:48 a.m.]

## PART 725—BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED, AND VIRGINIA SUN-CURED TOBACCO

### Burley Tobacco; National Marketing Quota

Proclamation of a national marketing quota for burley tobacco for the three marketing years beginning October 1, 1959, and announcement and apportionment of the national marketing quota for burley tobacco for the 1959-60 marketing year.

#### § 725.1003 Basis and purpose.

(a) Sections 725.1003 to 725.1004 are issued (1) to establish the reserve supply level and the total supply of burley tobacco for the marketing year beginning October 1, 1958; (2) to proclaim a national marketing quota for burley tobacco for each of the three marketing years beginning October 1, 1959; (3) to announce the amount of the national marketing quota for burley tobacco for the marketing year beginning October 1, 1959; and (4) to apportion the national marketing quota for burley tobacco for the 1959-60 marketing year among the several States. The findings and determinations contained in § 725.1004 have been made on the basis of the latest available statistics of the Federal Government, and after due consideration of data, views, and recommendations received from burley tobacco producers and others as provided in a notice (23 F.R. 7587) given in accordance with the Administrative Procedure Act (5 U.S.C. 1003).

(b) Since the Agricultural Adjustment Act of 1938, as amended, requires the holding of a referendum of burley tobacco farmers within 30 days after issuance of the proclamation of the national marketing quota for such kind of tobacco to determine whether such producers favor marketing quotas, it is hereby found that compliance with the 30-day effective date provision of the Administrative Procedure Act is impractical and contrary to the public interest. Therefore, the proclamation and the announcement and apportionment of the national marketing quota for burley tobacco for the 1959-60 marketing year contained herein shall become effective upon the date of filing with the Director, Division of the Federal Register.

§ 725.1004 Findings and determinations with respect to the national marketing quota for burley tobacco for the marketing year beginning October 1, 1959.

(a) *Reserve supply level.*<sup>1</sup> The reserve supply level for burley tobacco is 1,606

<sup>1</sup> Rounded to the nearest million pounds.

million pounds, calculated, as provided in the Agricultural Adjustment Act of 1938, as amended, from a normal year's domestic consumption of 535 million pounds and a normal year's exports of 36 million pounds.

(b) *Total supply.* The total supply of burley tobacco for the marketing year beginning October 1, 1958, is 1,767 million pounds consisting of carry-over of 1,285 million pounds and estimated 1958 production of 482 million pounds.

(c) *Carry-over.* The estimated carry-over of burley tobacco at the beginning of the marketing year for such tobacco beginning October 1, 1959 is 1,196 million pounds calculated by subtracting the estimated disappearance for the marketing year beginning October 1, 1958, of 571 million pounds from the total supply of such tobacco.

(d) *National marketing quota.* Since the 1958-59 marketing year is the last of three consecutive years for which marketing quotas previously proclaimed will be in effect, a national marketing quota for each of the three marketing years beginning October 1, 1959 is hereby proclaimed. The amount of burley tobacco which will make available during the marketing year beginning October 1, 1959 a supply of burley tobacco equal to the reserve supply level of such tobacco is 410 million pounds and a national marketing quota of such amount is hereby announced. It is determined, however, that a national marketing quota in the amount of 410 million pounds would result in undue restriction of marketings during the 1959-60 marketing year and such amount is hereby increased by 20 percent. Therefore, the amount of the national marketing quota for burley tobacco in terms of the total quantity of such tobacco which may be marketed during the marketing year beginning October 1, 1959, is 492 million pounds.

(e) *Apportionment of the quota.* The national marketing quota is hereby apportioned among the several States pursuant to section 313(a) of the Agricultural Adjustment Act of 1938, as amended, and converted into State acreage allotments in accordance with section 313(g) of the Act as follows:

State	Acreage allotment
Alabama	30
Arkansas	53
Georgia	87
Illinois	6
Indiana	7,748
Kansas	92
Kentucky	200,586
Missouri	3,194
North Carolina	10,159
Ohio	9,972
Pennsylvania	2
South Carolina	4
Tennessee	63,347
Texas	1
Virginia	11,010
West Virginia	2,853
Reserve <sup>1</sup>	775

<sup>1</sup> Acreage reserved for establishing allotments for new farms.

(Sec. 375, 52 Stat. 66; 7 U.S.C. 1375. Interpret or apply secs. 301, 312, 313, 52 Stat. 38, as amended; 46 as amended; 47 as amended; 7 U.S.C. 1301, 1312, 1313)

Done at Washington, D.C., this 26th day of January 1959. Witness my hand

and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,  
Acting Secretary.

[F.R. Doc. 59-779; Filed, Jan. 28, 1959;  
8:48 a.m.]

## PART 725—BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED, AND VIRGINIA SUN-CURED TOBACCO

### National Marketing Quota

Proclamation of a national marketing quota for Virginia sun-cured (Type 37) tobacco for each of the three marketing years beginning October 1, 1959; and announcement and apportionment of the national marketing quotas for fire-cured (Type 21) tobacco, fire-cured (Types 22, 23 and 24) tobacco, dark air-cured tobacco, and Virginia sun-cured (Type 37) tobacco for the 1959-60 marketing year.

#### Sec.

725.1005 Basis and purpose.

725.1006 Findings and determinations with respect to the national marketing quota for fire-cured (type 21) tobacco for the marketing year beginning October 1, 1959.

725.1007 Findings and determinations with respect to the national marketing quota for fire-cured (types 22, 23 and 24) tobacco for the marketing year beginning October 1, 1959.

725.1008 Findings and determinations with respect to the national marketing quota for dark air-cured tobacco for the marketing year beginning October 1, 1959.

725.1009 Proclamation, findings and determinations with respect to the national marketing quota for Virginia sun-cured tobacco for the marketing year beginning October 1, 1959.

AUTHORITY: §§ 725.1005 to 725.1009 issued under sec. 375, 52 Stat. 66, 7 U.S.C. 1375. Interpret or apply secs. 301, 312, 313, 52 Stat. 38 as amended; 46 as amended; 47 as amended. 7 U.S.C. 1301, 1312, 1313.

#### § 725.1005 Basis and purpose.

(a) Sections 725.1005 to 725.1009 are issued (1) to establish the reserve supply level and the total supply of fire-cured (type 21) tobacco, fire-cured (types 22, 23 and 24) tobacco, dark air-cured tobacco and Virginia sun-cured tobacco, respectively, for the marketing year beginning October 1, 1958; (2) to proclaim a national marketing quota for Virginia sun-cured tobacco for each of the 1959-60, 1960-61 and 1961-62 marketing years; (3) to announce the amounts of the national marketing quotas for fire-cured (type 21) tobacco, fire-cured (types 22, 23 and 24) tobacco, dark air-cured tobacco and Virginia sun-cured tobacco for the marketing year beginning October 1, 1959; and (4) to apportion such national marketing quotas for the 1959-60 marketing year among the several States. The findings and determinations contained in §§ 725.1006 to 725.1009 have been made on the basis of the latest available statistics of the Federal Government, and after due consideration of the data, views, and recommendations

received from fire-cured, dark air-cured, and Virginia sun-cured tobacco producers and others, as provided in a notice (23 F.R. 7587) given in accordance with the Administrative Procedure Act (5 U.S.C. 1003).

(b) Since fire-cured, dark air-cured, and Virginia sun-cured tobacco growers are making plans for their 1959 farming operations and are preparing plant beds and purchasing fertilizer and other materials, and since the Agricultural Adjustment Act of 1938, as amended, requires the holding of a referendum of producers of Virginia sun-cured tobacco within 30 days after issuance of the proclamation of the national marketing quota for such kind of tobacco to determine whether such producers favor marketing quotas, it is hereby found that compliance with the 30-day effective date provisions of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the proclamation, announcements, and apportionments of the national marketing quotas for fire-cured (type 21) tobacco; fire-cured (types 22, 23 and 24) tobacco; dark air-cured tobacco and Virginia sun-cured tobacco contained herein shall become effective upon the date of filing with the Director, Division of the Federal Register.

**§ 725.1006 Findings and determinations with respect to the amount of the national marketing quota for fire-cured (type 21) tobacco for the marketing year beginning October 1, 1959.**

(a) *Reserve supply level.*<sup>1</sup> The reserve supply level for fire-cured (type 21) tobacco is 28,586,000 pounds calculated as provided in the Agricultural Adjustment Act of 1938, as amended, from a normal year's domestic consumption of 6,300,000 pounds and a normal year's exports of 6,000,000 pounds.

(b) *Total supply.* The total supply of fire-cured (type 21) tobacco for the marketing year beginning October 1, 1958 is 33,221,000 pounds consisting of carry-over of 23,837,000 pounds and estimated 1958 production of 9,384,000 pounds.

(c) *Carry-over.* The estimated carry-over of fire-cured (type 21) tobacco at the beginning of the marketing year for such tobacco beginning October 1, 1959, is 20,546,000 pounds calculated by subtracting the estimated disappearance for the marketing year beginning October 1, 1958 of 12,675,000 pounds from the total supply of such tobacco.

(d) *National marketing quota.* The amount of fire-cured (type 21) tobacco which will make available during the marketing year beginning October 1, 1959, a supply of fire-cured (type 21) tobacco equal to the reserve supply level of such tobacco is 8,040,000 pounds and a national marketing quota of such amount is hereby announced. It is determined, however, that a national marketing quota in the amount of 8,040,000 pounds would result in undue restriction of marketings during the 1959-60 marketing year and such amount

is hereby increased by 20 percent to 9,648,000 pounds. Pursuant to Public Law 85-705 this increased quota is further increased to 11,119,000 pounds. Therefore, the amount of the national marketing quota for fire-cured (type 21) tobacco in terms of the total quantity of such tobacco which may be marketed during the marketing year beginning October 1, 1959, is 11,119,000 pounds.

(e) *Apportionment of the quota.* Since fire-cured (type 21) tobacco is grown only in the State of Virginia, the quota is apportioned only to that State under section 313(a) of the Agricultural Adjustment Act of 1938, as amended. The national marketing quota less 27,797 pounds reserved for establishing allotments for new farms, becomes the State marketing quota for Virginia. The State marketing quota is hereby converted in accordance with section 313(g) of the Act into a State acreage allotment of 9,091 acres. Likewise, the reserve of 27,797 pounds for establishing allotments for new farms is hereby converted into 23 acres.

**§ 725.1007 Findings and determinations with respect to the national marketing quota for fire-cured (types 22, 23 and 24) tobacco for the marketing year beginning October 1, 1959.**

(a) *Reserve supply level.*<sup>1</sup> The reserve supply level for fire-cured (types 22, 23 and 24) tobacco is 130,600,000 pounds calculated as provided in the Agricultural Adjustment Act of 1938, as amended, from a normal year's domestic consumption of 29,000,000 pounds and a normal year's exports of 27,000,000 pounds.

(b) *Total supply.* The total supply of fire-cured (types 22, 23 and 24) tobacco for the marketing year beginning October 1, 1958, is 146,300,000 pounds consisting of carry-over of 109,300,000 pounds and estimated 1958 production of 37,000,000 pounds.

(c) *Carry-over.* The estimated carry-over of fire-cured (types 22, 23 and 24) tobacco at the beginning of the marketing year for such tobacco beginning October 1, 1959, is 92,000,000 pounds calculated by subtracting the estimated disappearance for the marketing year beginning October 1, 1958 of 54,300,000 pounds from the total supply of such tobacco.

(d) *National marketing quota.* The amount of fire-cured (types 22, 23 and 24) tobacco which will make available during the marketing year beginning October 1, 1959, a supply of fire-cured (types 22, 23 and 24) tobacco equal to the reserve supply level of such tobacco is 38,600,000 pounds and a national marketing quota of such amount is hereby announced. It is determined, however, that a national marketing quota in the amount of 38,600,000 pounds would result in undue restriction of marketings during the 1959-60 marketing year and such amount is hereby increased by 19.82 percent. Therefore, the amount of the national marketing quota for fire-cured (types 22, 23 and 24) tobacco in

terms of the total quantity of such tobacco which may be marketed during the marketing year beginning October 1, 1959 is 46,250,000 pounds.

(e) *Apportionment of the quota.* The national marketing quota announced in paragraph (d) of this section is hereby apportioned among the several States pursuant to section 313(a) of the Agricultural Adjustment Act of 1938, as amended, and converted into State acreage allotments in accordance with section 313(g) of the Act as follows:

State	Acreage allotment
Illinois	1
Kentucky	15,376
Tennessee	17,292
Reserve <sup>1</sup>	82

<sup>1</sup> Acreage reserved for establishing allotments for new farms.

**§ 725.1008 Findings and determinations with respect to the amount of the national marketing quota for dark air-cured tobacco for the marketing year beginning October 1, 1959.**

(a) *Reserve supply level.*<sup>1</sup> The reserve supply level for dark air-cured tobacco is 81,900,000 pounds calculated as provided in the Agricultural Adjustment Act of 1938, as amended, from the normal year's domestic consumption of 23,000,000 pounds and a normal year's exports of 9,000,000 pounds.

(b) *Total supply.* The total supply of dark air-cured tobacco for the marketing year beginning October 1, 1958 is 90,700,000 pounds consisting of carry-over of 72,500,000 pounds and estimated 1958 production of 18,200,000 pounds.

(c) *Carry-over.* The estimated carry-over of dark air-cured tobacco at the beginning of the marketing year for such tobacco beginning October 1, 1959 is 63,000,000 pounds calculated by subtracting the estimated disappearance for the marketing year beginning October 1, 1958, of 27,700,000 pounds from the total supply of such tobacco.

(d) *National marketing quota.* The amount of dark air-cured tobacco which will make available during the marketing year beginning October 1, 1959, a supply of dark air-cured tobacco equal to the reserve supply level of such tobacco is 18,900,000 pounds and a national marketing quota of such amount is hereby announced. It is determined, however, that a national marketing quota in the amount of 18,900,000 pounds would result in undue restriction of marketings during the 1959-60 marketing year and such amount is hereby increased by 19.98 percent. Therefore, the amount of the national marketing quota for dark air-cured tobacco in terms of the total quantity of such tobacco which may be marketed during the marketing year beginning October 1, 1959, is 22,676,000 pounds.

(e) *Apportionment of the quota.* The national marketing quota is hereby apportioned among the several States pursuant to section 313(a) of the Agricultural Adjustment Act of 1938, as amended, and converted into State acreage allotments in accordance with section 313(g) of the act as follows:

<sup>1</sup> Rounded to the nearest thousand pounds, except in paragraph (e) of this section.

<sup>2</sup> Rounded to the nearest tenth of a million pounds, except for the increase pursuant to section 312(b) of the act.

State	Acreage allotment
Kentucky -----	13,453
Tennessee -----	2,266
Indiana -----	46
Reserve <sup>1</sup> -----	40

<sup>1</sup> Acreage reserved for establishing allotments for new farms.

§ 725.1009 Proclamation of national marketing quota, and findings and determinations with respect to the national marketing quota for Virginia sun-cured tobacco for the marketing year beginning October 1, 1959.

(a) *Reserve supply level.*<sup>1</sup> The reserve supply level of Virginia sun-cured tobacco is 8,692,000 pounds calculated as provided in the Agricultural Adjustment Act of 1938, as amended, from a normal year's domestic consumption of 2,650,000 pounds and a normal year's exports of 600,000 pounds.

(b) *Total supply.* The total supply of Virginia sun-cured tobacco for the marketing year beginning October 1, 1958, is 7,335,000 pounds consisting of a carry-over of 5,495,000 pounds and estimated 1958 production of 1,840,000 pounds.

(c) *Carry-over.* The estimated carry-over of Virginia sun-cured tobacco at the beginning of the marketing year for such tobacco beginning October 1, 1959 is 4,289,000 pounds calculated by subtracting the estimated disappearance for the marketing year beginning October 1, 1958, of 3,046,000 pounds from the total supply of such tobacco.

(d) *Proclamation and national marketing quota.* Since the 1958-59 marketing year is the last of three consecutive years for which marketing quotas previously proclaimed will be in effect, a national marketing quota for each of the three marketing years beginning October 1, 1959, is hereby proclaimed. The amount of Virginia sun-cured tobacco which will make available during the marketing year beginning October 1, 1959, a supply of Virginia sun-cured tobacco equal to the reserve supply level of such tobacco is 4,403,000 pounds and a national marketing quota of such amount is hereby announced. It is determined, however, that a national marketing quota in the amount of 4,403,000 pounds would result in undue restriction of marketings for the 1959-60 marketing year and such amount is increased by 20 percent to 5,284,000 pounds. Pursuant to Public Law 85-705, however, such increased quota is decreased to 4,106,000 pounds. Therefore, the amount of the national marketing quota for Virginia sun-cured tobacco in terms of the total quantity of such tobacco which may be marketed during the marketing year beginning October 1, 1959, is 4,106,000 pounds.

(e) *Apportionment of the quota.* Since Virginia sun-cured tobacco is grown only in the State of Virginia, the quota is apportioned only to that State under section 313(a) of the Agricultural Adjustment Act of 1938, as amended.

<sup>1</sup> Rounded to nearest thousand pounds, except in paragraph (c) of this section.

The national marketing quota, less 10,265 pounds reserved for establishing allotments for new farms, becomes the State marketing quota for Virginia. The State marketing quota is hereby converted in accordance with section 313(g) of the Act into a State acreage allotment of 4,192 acres. Likewise, the reserve of 10,265 pounds for establishing allotments for new farms is hereby converted into 10 acres.

Done at Washington, D.C., this 26th day of January, 1959. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

TRUE D. MORSE,  
Acting Secretary.

[F.R. Doc. 59-773; Filed, Jan. 28, 1959; 8:47 a.m.]

## PART 727—MARYLAND TOBACCO

### National Marketing Quota

Proclamation of a national marketing quota for Maryland tobacco for the three marketing years beginning October 1, 1959, and announcement and apportionment of the national marketing quota for Maryland tobacco for the 1959-60 marketing year.

#### § 727.1001 Basis and purpose.

(a) Sections 727.1001 and 727.1002 are issued (1) to establish the reserve supply level and the total supply of Maryland tobacco for the marketing year beginning October 1, 1958; (2) to proclaim a national marketing quota for Maryland tobacco for the three marketing years beginning October 1, 1959; (3) to announce the amount of the national marketing quota for Maryland tobacco for the marketing year beginning October 1, 1959; and (4) to apportion such quota among the several States. The findings and determinations by the Secretary contained in § 727.1002 have been made on the basis of the latest available statistics of the Federal Government, and after due consideration of data, views, and recommendations received from Maryland tobacco producers and others as provided in a notice (23 F.R. 7587) given in accordance with the Administrative Procedure Act (5 U.S.C. 1003).

(b) Since the Agricultural Adjustment Act of 1938, as amended, requires the holding of a referendum of Maryland tobacco growers within 30 days after issuance of the proclamation of a national marketing quota for such kind of tobacco to determine whether such producers favor marketing quotas, it is hereby found that compliance with the 30-day effective date provision of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the proclamation and the announcement and apportionment of the national marketing quota for Maryland tobacco for the 1959-60 marketing year contained herein shall become effective upon the date of filing with the Director, Division of the Federal Register.

§ 727.1002 Findings and determinations with respect to the amount of the national marketing quota for Maryland tobacco for the marketing year beginning October 1, 1959.<sup>1</sup>

(a) *Reserve supply level.* The reserve supply level for Maryland tobacco is 99,900,000 pounds, calculated as provided in the Agricultural Adjustment Act of 1938, as amended, from a normal year's domestic consumption of 27,100,000 pounds and a normal year's exports of 12,500,000 pounds.

(b) *Total supply.* The total supply of Maryland tobacco for the marketing year beginning October 1, 1958, is 104,200,000 pounds, consisting of estimated carry-over of 71,000,000 pounds and estimated 1958 production of 33,200,000 pounds.

(c) *Carry-over.* The estimated carry-over of Maryland tobacco on January 1, 1960 is 64,400,000 pounds calculated by subtracting the estimated disappearance for the marketing year beginning October 1, 1958 of 39,800,000 pounds from the total supply of such tobacco.

(d) *National marketing quota.* Since the 1958-59 marketing year is the last of three consecutive years for which marketing quotas previously proclaimed will be in effect, a national marketing quota for each of the three marketing years beginning October 1, 1959, is hereby proclaimed. The amount of Maryland tobacco which will make available during the marketing year beginning October 1, 1959, a supply of Maryland tobacco equal to the reserve supply level of such tobacco is 35,500,000 pounds, and a national marketing quota of such amount is hereby announced. It is determined, however, that a national marketing quota in the amount of 35,500,000 pounds would cause undue restriction of marketings during the 1959-60 marketing year and such amount is hereby increased by 20 percent. Therefore, the amount of the national marketing quota for Maryland tobacco in terms of the total quantity of tobacco which may be marketed during the marketing year beginning October 1, 1959, is 42,600,000.

(e) *Apportionment of the quota.* The national marketing quota is hereby apportioned among the several States pursuant to section 313(a) of the Agricultural Adjustment Act of 1938, as amended, and converted into State acreage allotments in accordance with section 313(g) of the Act as follows:

State	Acreage allotment
Maryland -----	48,315
Virginia -----	33
Delaware -----	1
Reserve <sup>1</sup> -----	60

<sup>1</sup> Acreage reserved for establishing allotments for new farms.

(Sec. 375, 52 Stat. 66, as amended; 7 U.S.C. 1375. Interpret or apply secs. 301, 312, 314, 52 Stat. 38, as amended; 46 as amended; 47 as amended; 7 U.S.C. 1301, 1312, 1313)

Done at Washington, D.C., this 26th day of January 1959. Witness my hand

<sup>1</sup> Rounded to the nearest tenth of a million pounds.

and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,  
Acting Secretary of Agriculture.

[P.R. Doc. 59-774; Filed, Jan. 28, 1959;  
8:48 a.m.]

[Amdt. 5]

## PART 728—WHEAT

### Subpart—Wheat Marketing Quota Regulations for 1958 and Subsequent Crop Years

#### SUBSTITUTION OF WHEAT IN STORAGE

**Basis and purpose.** In an amendment to the wheat marketing quota regulations for 1958 and subsequent crop years, published in the FEDERAL REGISTER on January 8, 1959 (24 F.R. 193), the words "in licensed storage" were inadvertently omitted from the tenth sentence of § 728.879(b). This amendment is issued to make this correction.

Since the only purpose of this amendment is to add words inadvertently omitted and since the intent of the regulation as first published is not modified thereby, it is hereby found and determined that compliance with the provisions of the Administrative Procedure Act (5 U.S.C. 1003) with respect to notice, public procedure thereon, and effective date is unnecessary, and the amendment herein shall become effective upon the date of publication in the FEDERAL REGISTER.

Section 728.879(b) is amended by changing the tenth sentence to read as follows: "Wheat produced on a farm by any producer may be placed in non-licensed storage and substituted for excess wheat of any crop which was properly stored in licensed storage in order to postpone or avoid payment of a penalty, if a written request to do so is filed with the county committee and approval of such committee is granted in writing upon the determination of the county committee that the wheat to be stored in non-licensed storage is of a

quality equal to or better than the wheat in licensed storage, and the wheat in an amount equal to the amount in licensed storage for which substitution is desired is stored in non-licensed storage in accordance with this paragraph and paragraph (d) of this section and is secured by a good and sufficient bond of indemnity or the deposit of funds in escrow, as provided in paragraph (d) of this section."

(Sec. 375, 52 Stat. 66, as amended; 7 U.S.C. 1375. Interprets or applies 55 Stat. 203, as amended; 7 U.S.C. 1340)

Issued at Washington, D.C., this 26th day of January 1959.

[SEAL] TRUE D. MORSE,  
Acting Secretary.

[P.R. Doc. 59-785; Filed, Jan. 28, 1959;  
8:49 a.m.]

## Title 12—BANKS AND BANKING

### Chapter V—Federal Home Loan Bank Board

#### SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

[No. FSLIC-592]

### PART 563—OPERATIONS

#### Participations in Loans

JANUARY 23, 1959.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amendment of § 563.9-1 of the rules and regulations for Insurance of Accounts (12 CFR 563.9-1) as hereinafter set forth, and for the purpose of effecting such amendment, hereby amends said section as follows, effective January 29, 1959:

Section 563.9-1 aforesaid is hereby amended by adding to paragraph (c) thereof, immediately before the period at the end of said paragraph, a colon and the following: "Provided, That as used in the foregoing provisions of this paragraph the terms 'loan' and 'investments' shall not include or apply to any

loan as to which such institution has, with respect to such loan or its participation therein, the benefit of any insurance or guaranty, or commitment for insurance or guaranty, under any provision of the National Housing Act, the Servicemen's Readjustment Act of 1944, or chapter 37 of title 38, United States Code, as heretofore or hereafter in force".

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4081, 3 CFR, 1947 Supp.)

Resolved further that, as said amendment only relieves restriction, the Board hereby finds that notice and public procedure thereon are unnecessary under the provisions of § 508.12 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.12) or section 4(a) of the Administrative Procedure Act and, as said amendment relieves restriction, deferment of the effective date thereof is not required under section 4(c) of said Act.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,  
Secretary.

[P.R. Doc. 59-784; Filed, Jan. 28, 1959;  
8:49 a.m.]

## Title 14—CIVIL AVIATION

### Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 96]

### PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

#### Procedure Alterations

##### Correction

In F.R. Doc. 58-9768, appearing at page 9589 of the issue for Thursday, December 11, 1958, Item 4, amending § 609.200, contained a duplication of Procedure No. TerVOR-35 and omitted Procedure No. TerVOR-12. Procedure No. TerVOR-12 reads as follows:

#### TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
GCK LFR.....	GCK VOR.....	Direct.....	4200	T-dn.....	300-1	300-1	200-1½
				C-d.....	700-1	700-1	700-1½
				C-n.....	*700-1½	700-1½	700-2
				S-d-12.....	700-1	700-1	700-1
				A-dn.....	800-2	800-2	800-2

\*NOTE: Night operation authorized N-S runway only.

Procedure turn North side of crs, 310° Outbound, 130° Inbound, 4200' within 10 ml.

NOTE: Procedure nonstandard due to 3308' tower Southwest.

Minimum altitude over facility on final approach crs, 3600'.

Crs and distance from Int Runway center line extended and final crs to app end of runway, 125°—0.74 ml.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 miles, climb to 4100' on R-130 within 20 ml.

City, Garden City, State, Kans.; Airport Name, New Garden City; Elev., 2895'; Fac. Class, VORTAC; Ident., GCK; Procedure No. Ter VOR-12, Orig. Ed. Date, 14 Dec. 58



**Title 47—TELECOMMUNICATION****Chapter I—Federal Communications Commission**

[Docket No. 12295]

[Rules Amdt. 11-23]

**PART 11—INDUSTRIAL RADIO SERVICES****Change in Effective Date of Certain Narrow-band Technical Standards**

In the matter of amendment of Parts 10, 11 and 16 of the Commission's rules to change the effective date of narrow-band technical standards in the 25-50 and 152-162 Mc bands.

The Commission having under consideration its (First) Report and Order of June 26, 1958 (FCC 58-620) and its Second Report and Order of December 17, 1958 (58-1217) in the above entitled proceeding; and

It appearing, that, by virtue of the above Reports and Orders, Parts 10, 11 and 16 of the Commission's rules were amended in the respects described and set forth therein; and

It further appearing, that, under the terms of the above Reports and Orders, the formal codification of the changes effected was to be accomplished by subsequent orders of the Commission; and

It further appearing, that it is the purpose of this supplemental order to accomplish the codification of the changes for Part 11; that the codification conforms without substantive deviation from the said changes; that the amendments ordered herein are editorial in nature and require no further public notice of rule making with respect thereto; and that effective dates for the amendments have already been provided by the above Reports and Orders:

*It is ordered*, This 26th day of January 1959, that, effective February 1, 1959, and pursuant to section 0.341 of the Commission's Statement of Delegations of Authority, and sections 4(i) and 303 of the Communications Act of 1934, as amended, Part 11 of the Commission's rules, Industrial Radio Services, is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Released: January 26, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] MARY JANE MORRIS,  
Secretary.

1. Amend § 11.102 to read as follows:

**§ 11.102 Frequency stability.**

(a) Except as provided in paragraph (b) or (c) of this section, a permittee or licensee in these services shall maintain the carrier frequency of each authorized transmitter within the following percentage of the assigned frequency:

Frequency range	All fixed and base stations	All mobile stations	
		Over 3 watts	3 watts or less
Below 25 Mc.....	Percent 0.01	Percent 0.01	Percent 0.02
25 to 50 Mc.....	0.002	0.002	0.005
50 to 1000 Mc.....	0.0005	0.0005	0.005
Above 1000 Mc.....	(1)	(1)	(1)

<sup>1</sup> To be specified in the station authorization.

(b) In lieu of meeting the requirements of paragraph (a) of this section for the frequency ranges shown below, transmitters authorized prior to November 1, 1958, and transmitters which are operationally integrated with existing radiocommunication systems authorized prior to November 1, 1958, may conform to the following tolerances until not later than October 31, 1963:

Frequency range	Transmitter power	
	Over 3 watts	3 watts or less
50 to 150.8 Mc.....	Percent 0.005	Percent 0.01
174 to 220 Mc.....	0.005	0.01
220 to 1000 Mc.....	(1)	(1)

<sup>1</sup> To be specified in the station authorization.

(c) In lieu of meeting the requirements of paragraph (a) of this section for the frequency bands shown below, transmitters authorized not later than October 31, 1963, for operation wholly within the limits of one or more of the territories or possessions of the United States or the State of Alaska, and transmitters operationally integrated with existing radiocommunication systems authorized prior to August 1, 1958, for operation in areas other than those indicated above, may conform to the following frequency tolerances until not later than October 31, 1963: *Provided*, That in areas other than the territories or possessions of the United States or the State of Alaska, either (1) the operation takes place on frequencies which were specifically assigned to stations of the respective systems prior to August 1, 1958, or (2) the operation takes place on frequencies which are directly substituted for specific frequencies in the same frequency range which were assigned to stations of the respective systems prior to August 1, 1958, and which are no longer available for assignment to the station or stations involved:

Frequency range	Transmitter power	
	Over 3 watts	3 watts or less
25 to 50 Mc.....	Percent 0.01	Percent 0.02
152 to 174 Mc.....	0.005	0.01

(d) For the purpose of determining the frequency tolerance applicable to a particular transmitter in accordance with the foregoing provisions of this sec-

tion, the power of a transmitter shall be the maximum rated plate power input to its final radio frequency stage, as specified by the manufacturer.

**§ 11.104 [Amendment]**

2. Amend subparagraphs (3) and (4) of § 11.104(b) to read as follows:

(3) In lieu of meeting the requirements of subparagraph (2) of this paragraph, transmitters which are operationally integrated with existing radiocommunication systems authorized prior to August 1, 1958 to utilize type F3 emission and to operate on frequencies within the ranges 25-50 Mc or 152-174 Mc may be operated with a maximum frequency deviation of 5 kc until not later than October 31, 1963: *Provided*, That the operation takes place either on frequencies authorized stations of the respective systems prior to August 1, 1958, or on frequencies which are directly substituted for specific frequencies in the same frequency range which were assigned to stations of the respective systems prior to August 1, 1958, and which are no longer available for assignment to the station or stations involved.

(4) In lieu of meeting the requirements of subparagraph (2) of this paragraph, and notwithstanding the provisions of subparagraph (3) of this paragraph, transmitters utilizing type F3 emission may be operated with a maximum frequency deviation of 15 kc until not later than October 31, 1963 if they:

(i) Are authorized for operation wholly within the limits of one or more of the territories or possessions of the United States or the State of Alaska on frequencies within the ranges 25-50 Mc or 152-174 Mc;

(ii) Were authorized for operation on frequencies within the range 49.51-50.00 Mc;

(iii) Were authorized prior to August 1, 1958, for operation within the range 25-42 Mc on frequencies removed by at least 40 kc from the nearest regularly-available frequency listed in Parts 10, 11 or 16 of this Chapter; or

(iv) Are operationally integrated with systems meeting the criteria set forth in subdivision (iii) of this subparagraph.

3. In § 11.105, amend paragraphs (a), (d) and (e) and add new paragraphs (f) and (g) to read as follows:

**§ 11.105 Modulation requirements.**

(a) The maximum audio frequency required for satisfactory radiotelephone intelligibility in these services is considered to be 3000 cycles per second; in any transmitter not subject to the provisions of paragraph (d) of this section, the overall frequency response of the audio and modulating circuits nevertheless shall correspond approximately with that required thereby.

(d) Each transmitter which is operated on a frequency in the ranges 25-50 Mc or 152-174 Mc, and which is provided with a modulation limiter in accordance with the provisions of paragraph (c) of

this section shall also be equipped with an audio low-pass filter in accordance with the provisions of paragraph (g) of this section: *Provided, however,* That this requirement shall not apply until November 1, 1963, to transmitters of stations operated wholly within the limits of one or more of the territories or possessions of the United States or the State of Alaska; and this requirement shall not apply until November 1, 1963, to transmitters which are operationally integrated with existing radiocommunication systems which were authorized prior to August 1, 1958, in those cases where either (1) the operation takes place on frequencies which were specifically assigned to stations of the respective systems prior to August 1, 1958, or (2) the operation takes place on frequencies which are directly substituted for specific frequencies in the same frequency range which were assigned to stations of the respective systems prior to August 1, 1958, and which are no longer available for assignment to the station or stations involved.

(e) Each transmitter which is operated on a frequency in the range 150.8–152 Mc and which is provided with a modulation limiter in accordance with the provisions of paragraph (c) of this section shall also be equipped with an audio low-pass filter, in accordance with the provisions of paragraph (g) of this section.

(f) Each transmitter which is operated on a frequency in the range 450 to 470 Mc and which is provided with a modulation limiter in accordance with the provisions of paragraph (c) of this section shall also be equipped with an audio low-pass filter, in accordance with the provisions of paragraph (g) of this section: *Provided, however,* That this requirement shall not apply until November 1, 1963, to transmitters first authorized or installed prior to November 1, 1958, or to transmitters which are operationally integrated with existing radiocommunications systems which

were authorized prior to November 1, 1958.

(g) The audio low-pass filter required by the provisions of the preceding paragraphs of this section shall be installed between the modulation limiter and the modulated stage and, at audio frequencies between 3 kc and 15 kc, shall have an attenuation greater than the attenuation at 1 kc by at least:

$$40 \log_{10} (f/3) \text{ decibels}$$

where "f" is the audio frequency in kilocycles. At audio frequencies above 15 kc the attenuation shall be at least 28 decibels greater than the attenuation at 1 kc.

[F.R. Doc. 59-781; Filed, Jan. 28, 1959; 8:48 a.m.]

## Title 49—TRANSPORTATION

### Chapter I—Interstate Commerce Commission

#### SUBCHAPTER B—CARRIERS BY MOTOR VEHICLES

#### PART 205—REPORTS OF MOTOR CARRIERS

##### Motor Carrier Annual Report Form D; Class I Motor Carriers of Passengers

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 21st day of January A.D. 1959.

It appearing, that the matter of annual reports from Class I motor carriers of passengers being under further consideration, and the changes to be effectuated by this order being minor changes, rule-making procedures under section 4(a) of the Administrative Procedure Act, 5 U.S.C. 1003, being deemed unnecessary:

*It is ordered,* That § 205.3a of the order of January 14, 1958, in the matter of Motor Carrier Annual Report Form D, be, and it is hereby, modified and amended with respect to annual reports

for the year ended December 31, 1958, and subsequent years, to read as shown below.

*It is further ordered,* That § 205.3a be modified and amended to read as follows:

#### § 205.3a Annual reports of Class I carriers of passengers.

Commencing with the year ended December 31, 1958, and for subsequent years thereafter, until further order, all Class I motor carriers of passengers, as defined in § 181.01-1 of this chapter, viz., carriers with average annual gross operating revenues (including interstate and intrastate) of \$200,000 or more annually from passenger motor carrier operations, are required to file annual reports in accordance with Motor Carrier Annual Report Form D (passenger) which is attached to and made a part of this section.<sup>1</sup> Such report shall be filed in duplicate in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D.C., on or before March 31 of the year following the year to which it relates.

*And it is further ordered,* That a copy of this order and of Motor Carrier Annual Report Form D (passenger) shall be served on all Class I motor carriers of passengers and upon every trustee, receiver, executor, administrator, or of assignee of any such motor carrier, and that notice of this order shall be given to the general public by posting a copy thereof in the Office of the Secretary of the Commission in Washington, D.C., and by filing a copy thereof with the Director, Federal Register Division.

(49 Stat. 546, as amended; 49 U.S.C. 304. Interpret or apply 49 Stat. 563, as amended; 49 U.S.C. 320)

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 59-770; Filed, Jan. 28, 1959; 8:47 a.m.]

## NOTICES

### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management CALIFORNIA

#### Notice of Proposed Withdrawal and Reservation of Lands; Correction

JANUARY 21, 1959.

The Notice of Proposed Withdrawal and Reservation of Lands concerning application Serial No. Sacramento 054898 of the Bureau of Reclamation, United States Department of the Interior, for the Trinity River Division, Central Valley Project, California, which was published in the FEDERAL REGISTER of Wednesday, January 7, 1959, Page 173 (F.R. Doc. 59-114), is corrected as follows: That portion of the land description in Sec. 31, T. 36 N., R. 6 W., M.D.M., which reads Lots 1, 2, 3, and 4 W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ ,

is corrected to read Lots 1, 2, 3, and 4, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ .

WALTER E. BECK,  
Manager.

[F.R. Doc. 59-752; Filed, Jan. 28, 1959; 8:45 a.m.]

### COLORADO

#### Notice of Proposed Withdrawal and Reservation of Lands; Correction

JANUARY 15, 1959.

Pursuant to the authority delegated to me by the Colorado State Supervisor, Bureau of Land Management, effective February 19, 1958 (23 F.R. 1098), Notice of Proposed Withdrawal and Reservation of Lands for Application Colorado 024419, appearing as Federal Register Document

59-202 in the issue of January 9, 1959 at page 239 is corrected as follows:

Under Hayden Creek Picnic Ground, T. 47 N. R. 10 E., Sec. 11, "S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ " is corrected to read Sec. 11, "S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ."

J. ELLIOTT HALL,  
Lands and Minerals Officer.

[F.R. Doc. 59-753; Filed, Jan. 28, 1959; 8:45 a.m.]

### NEVADA

#### Notice of Proposed Withdrawal and Reservation of Lands

JANUARY 23, 1959.

The Corps of Engineers on behalf of the Department of the Air Force has

<sup>1</sup> Filed as part of the original document.



filed an application, Serial No. Nevada 036338, as amended, for the withdrawal of the lands described below, from all forms of appropriation, including the mining and mineral leasing laws. All of the lands involved were withdrawn from all forms of appropriation except the mining and mineral leasing laws, by Executive Order 7373 of May 20, 1936, and Public Land Order 156 of August 4, 1943, as a part of the Desert Game Range.

The applicant desires the lands as an expansion to the existing Nellis Air Force Range. The land described in Parcel No. 1, below, is to be used as a Low Altitude Bombing Systems Range. The land described in Parcel No. 2 below, is required as a site location for a Special Instrumentation, Tracking and Control Building. The land described in Parcel No. 3, below, is required as an easement from Parcel No. 2 to Parcel No. 1.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, P.C. Box 1551, Reno, Nevada.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination on the application will be published in the FEDERAL REGISTER.

The lands involved in the application are:

MOUNT DIABLO MERIDIAN, NEVADA

PARCEL NO. 1

Being all of the unsurveyed Townships 15 South, Ranges 57 and 58 East, and fractional parts of Townships 16 South, Ranges 57 and 58 East (To be independently resurveyed) and fractional parts of Townships 17 South, Ranges 58 and 59 East, being more particularly described as:

T. 17 S., R. 58 E.,  
Sec. 9, NE $\frac{1}{4}$ ;  
Sec. 10, N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , N $\frac{1}{2}$ ;  
Sec. 11;  
Sec. 12;  
Sec. 13, NW $\frac{1}{4}$ ;  
Sec. 14, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , N $\frac{1}{2}$ ;  
Sec. 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
T. 17 S., R. 59 E.,  
Sec. 7, NW $\frac{1}{4}$ .

and the lands embraced within the following metes and bounds description:

The point of beginning (P.O.B.) is the Southeast corner of Independently Resurveyed T. 15 S., R. 56 E., identical with the Northeast corner of Independently Resurveyed T. 16 S., R. 56 E.;

Thence north along the easterly line of said T. 15 S., R. 56 E., 6 miles to the Northeast corner of said Township;  
Thence easterly approximately 6 miles to a point 6 miles east and 6 miles north of the P.O.B.;  
Thence easterly approximately 6 miles to a point 12 miles east and 6 miles north of the P.O.B.;  
Thence south 7 miles to a point 12 miles east and 1 mile south of the P.O.B.;  
Thence west 4 $\frac{1}{2}$  miles;  
Thence south  $\frac{1}{2}$  mile;  
Thence east  $\frac{1}{2}$  mile;  
Thence south  $\frac{1}{2}$  mile;  
Thence east  $\frac{1}{2}$  mile;  
Thence south 1 mile;

No 20—2

Thence east  $\frac{1}{2}$  mile;  
Thence south  $\frac{1}{2}$  mile;  
Thence east  $\frac{1}{2}$  mile;  
Thence south  $\frac{1}{2}$  mile;  
Thence east  $\frac{1}{2}$  mile;  
Thence south  $\frac{1}{2}$  mile;  
Thence east  $\frac{1}{2}$  mile;  
Thence south  $\frac{1}{2}$  mile;  
Thence east  $\frac{1}{2}$  mile;  
Thence south approximately 1 mile to a point on a line extending east from U.S.C. & G.S. triangulation station "GLO 2", which point is 1 mile west of intersection of said line with a line extending south from a point 12 miles east of the P.O.B.;

Thence west approximately  $\frac{1}{4}$  mile;  
Thence south approximately 1 mile to the corner of Sections 5, 6, 7, and 8, T. 17 S., R. 59 E.;  
Thence westerly along the north boundary of Section 7, T. 17 S., R. 59 E., and of Sections 12, 11, 10, and 9, T. 17 S., R. 58 E., approximately 5 miles to the corner of Sections 4, 5, 8, and 9, T. 17 S., R. 58 E.;

Thence north  $\frac{1}{2}$  mile;  
Thence west  $\frac{1}{2}$  mile;  
Thence north approximately  $\frac{1}{2}$  mile to a point east of the aforementioned "GLO 2";

Thence west approximately  $\frac{3}{4}$  of a mile to a point (defined as follows: From the P.O.B., east 6 miles; thence south to a point east of aforesaid "GLO 2"; thence west 1 mile to said point);

Thence north approximately  $\frac{1}{2}$  mile to a point 5 miles east and  $5\frac{1}{2}$  miles south of P.O.B.;

Thence west  $\frac{1}{2}$  mile;  
Thence north  $\frac{1}{2}$  mile;  
Thence west  $\frac{1}{2}$  mile;  
Thence north  $\frac{1}{2}$  mile;  
Thence west  $\frac{1}{2}$  mile;  
Thence north  $\frac{1}{2}$  mile;  
Thence west  $\frac{1}{2}$  mile;  
Thence north  $\frac{1}{2}$  mile;  
Thence west  $\frac{1}{2}$  mile;  
Thence north  $\frac{1}{2}$  mile;  
Thence west  $\frac{1}{2}$  mile;  
Thence north  $\frac{1}{2}$  mile;  
Thence west  $\frac{1}{2}$  mile;  
Thence north  $\frac{1}{2}$  mile;  
Thence west  $\frac{1}{2}$  mile;  
Thence north  $\frac{1}{2}$  mile;

Thence west approximately  $\frac{1}{2}$  mile to the corner of Sections 1 and 12 on the Independently Resurveyed east boundary of T. 16 S., R. 56 E.;

Thence northerly along said easterly boundary approximately 1 mile to the point of beginning.

Excepting therefrom all that area, if any, that may be Southwest of the Northeast Right-of-Way line of U.S. Highway 95.

Parcel No. 1 contains 81,160 acres more or less.

PARCEL II

Being a portion of Sections 20, 21, 28 and 29, T. 16 S., R. 57 E., MDM. (To be Independently Resurveyed) and being more particularly described as:

Beginning at a point 2 miles east and  $3\frac{3}{4}$  miles south of the Southeast corner of Independently Resurveyed T. 15 S., R. 56 E., being also the Northeast corner of Independently Resurveyed T. 16 S., R. 56 E.;

Thence east  $\frac{1}{4}$  mile;  
Thence south  $\frac{1}{2}$  mile;  
Thence west 1 mile;  
Thence north  $\frac{1}{2}$  mile;  
Thence east  $\frac{3}{4}$  of a mile to point of beginning.

Excepting therefrom all the area lying within the 400 foot Right-of-Way for U.S. Highway 95, containing approximately 48.48 acres.

Parcel No. 2 contains 271.52 acres more or less.

PARCEL III

Being 100 feet in width, 50 feet on either side of the following described center line, being located in T. 16 S., R. 57 E., MDM.;

Commencing at highway station 405 + 78.80 located on the northeasterly Right of Way line of U.S. Highway No. 95 (Highway from Las Vegas to Indian Springs);

Thence along said northeasterly line N. 54°23'15" W. 190.76 feet, to the true point of beginning;

Thence from said point of beginning N. 27°26'45" E. to a point on the southwesterly line of Parcel 1 above described.

Excepting therefrom all that portion lying within Parcel 2 above described.

Parcel No. 3 contains 9 acres more or less.

E. J. PALMER,  
State Supervisor.

[F.R. Doc. 59-754; Filed, Jan. 28, 1959  
8:45 a.m.]

COLORADO

Notice of Proposed Withdrawal and Reservation of Lands

JANUARY 21, 1959.

The Federal Aviation Agency of the Department of Commerce has filed an application, serial No. Colorado 022844, for withdrawal of the lands described below from all forms of appropriation, including the mining and mineral leasing law, subject to existing valid claims.

The applicant desires the land for establishment of the Gunnison, Colorado VORTAC Air Navigation facility.

For a period of thirty days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, 339 New Custom House, P.O. Box 1018, Denver 1, Colorado.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary of the Interior on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

T. 48 N., R. 1 $\frac{1}{2}$  W.,  
Sec. 1: S $\frac{1}{2}$  of lot 4, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$  NW $\frac{1}{4}$ ;  
Sec. 2: S $\frac{1}{2}$  of lot 1, lot 2, N $\frac{1}{2}$  of lot 3.  
T. 48 N., R. 2 W.,  
Sec. 1: SE $\frac{1}{4}$  of lot 8, E $\frac{1}{2}$  of lot 9, NE $\frac{1}{4}$  of lot 16.

The areas described aggregate 184.27 acres.

J. ELLIOTT HALL,  
Lands and Minerals Officer.

[F.R. Doc. 59-755; Filed, Jan. 28, 1959;  
8:45 a.m.]

[Montana 029688, 030617]

## MONTANA

## Order Providing for Opening of Public Lands

JANUARY 21, 1959.

1. In two exchanges made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended by section 3 of the Act of June 26, 1936 (49 Stat. 1976), the following described lands have been reconveyed to the United States:

## MONTANA PRINCIPAL MERIDIAN

T. 6 S., R. 53 E.,  
Sec. 28, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 33, N $\frac{1}{2}$ ;  
Sec. 34, W $\frac{1}{2}$ NW $\frac{1}{4}$ .  
T. 26 N., R. 34 E.,  
Sec. 17, SW $\frac{1}{4}$ ;  
Sec. 30, Lots 2, 3, 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 31, Lots 1, 2, 3, E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ .

2. The areas described above total 1,275.13 acres of land. The tract in T. 6 S., R. 53 E., is located approximately 14 miles south of Broadus and 5 miles southwest of highway 212. The terrain is rolling to rough and the tract supports a good stand of native grass forage. It is best suited for continued use as grazing land and is not suited for crop production due to shallow soils and dissected terrain.

The tract in T. 26 N., R. 34 E., is located approximately 35 miles south of Saco, Montana, in rolling hills adjoining Larb Creek on the west. In all other respects this tract is similar to the land south of Broadus.

The minerals on both tracts were reserved to the government when the lands were originally patented, so they have always been open to application under the applicable mineral laws.

3. No applications for these lands will be allowed under the homestead, desert land, small tract, or other non-mineral public land law, unless the lands have already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

4. Subject to any existing rights and the requirements of applicable laws, the lands described in paragraph 1 above, are hereby opened to filing of applications and selections in accordance with the following:

(a) Applications and selections under the non-mineral public land laws on the lands described in paragraph 1 above, may be presented to the Land Office Manager, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support

of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the Act of September 27, 1944 (58 Stat. 747), 43 U.S.C. 279-284, as amended, presented prior to 10:00 a.m., on March 11, 1959, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a.m., June 10, 1959, will be governed by the time of filing.

(3) All valid applications and selections under the non-mineral public land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a.m., on June 10, 1959, will be considered simultaneously filed at that hour.

5. Persons claiming veterans' preference rights under paragraph (2) must enclose with their applications proper evidence of military or naval service, preferably a complete photocopy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth

all facts relevant to their claims. Detailed rules and regulations governing applications, which may be filed pursuant to this notice, can be found in Title 43 of the Code of Federal Regulations.

6. Inquiries regarding the lands shall be addressed to the State Supervisor, Bureau of Land Management, Billings, Montana.

R. D. NIELSON,  
State Supervisor.

[F.R. Doc. 50-756; Filed Jan. 28, 1959; 8:45 a.m.]

[Montana 025861]

## MONTANA

## Order Providing for Opening of Public Lands

JANUARY 21, 1959.

1. In exchanges of land made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1272) as amended by section 3 of the Act of June 26, 1936 (49 Stat. 1976), certain lands have been reconveyed to the United States.

2. The following tabulation gives the legal description and mineral status of the lands reconveyed, as well as the geographical location, character, and most suitable use for the lands.

## ALL MONTANA PRINCIPAL MERIDIAN

Land description	Mineral status	Character and best use for land
(a) T. 1 N., R. 55 E., Sec. 11, N $\frac{1}{2}$ N $\frac{1}{2}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$	Retained by Offeror.	20 miles east of Ekalaka, Mont.—rolling grass land—best suited for grazing use.
(b) T. 24 N., R. 36 E., Sec. 1, Lots 3, 4, SW $\frac{1}{4}$ ; Sec. 2, Lots 1, 2, 3, 4, N $\frac{1}{2}$ S $\frac{1}{2}$ ; Sec. 3, Lot 1; Sec. 9, SE $\frac{1}{4}$ . T. 25 N., R. 36 E., Sec. 34, S $\frac{1}{2}$ S $\frac{1}{2}$ ; Sec. 35, SW $\frac{1}{4}$ SW $\frac{1}{4}$ .	Reserved by U.S. in original patents. Minerals have always been open to application under public land laws.	30 miles southwest of Glasgow, Montana. Rolling grass land best suited for grazing use.
(c) T. 25 N., R. 38 E., Sec. 3, W $\frac{1}{2}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 10, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ . T. 27 N., R. 38 E., Sec. 14, W $\frac{1}{2}$ ; Sec. 15, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ .  T. 9 S., R. 13 W., Sec. 18, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 20, W $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ .  T. 10 S., R. 12 W., Sec. 4, S $\frac{1}{2}$ SW $\frac{1}{4}$ ; Sec. 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ ; Sec. 6, N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 7, Lots 1, 2, 3, 4, E $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , SE $\frac{1}{4}$ ; Sec. 8, All; Sec. 9, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ .  T. 10 S., R. 13 W., Sec. 1, E $\frac{1}{2}$ SE $\frac{1}{4}$ ; Sec. 12, E $\frac{1}{2}$ NE $\frac{1}{4}$ .	Reserved by U.S. as under (b) on N $\frac{1}{2}$ NW $\frac{1}{4}$ , Sec. 14; NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , Sec. 15; T. 27 N., R. 38 E. Reserved by offeror on remainder of the lands and not open to application under the public land laws.  Reserved by U.S. as under (b) on Lot 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 7; SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 8; T. 10 S., R. 12 W. Reserved by offeror on remainder of the lands, and not open to application under the public land laws.	15 to 20 miles southwest of Glasgow, Mont.—rolling grass land—best suited for grazing use.  14 miles west of Armstead, Montana. Rolling grass land, best suited for grazing use.

The above described areas total 4,590.36 acres.

3. No application for these lands will be allowed under the homestead, desert land, small tract, or other non-mineral public land law, unless the lands have already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

4. Subject to any existing valid rights and the requirements of the applicable laws, the lands described in paragraph 2, above, are hereby opened to filing of applications and selections in accordance with the following:

(a) Applications and selections under the non-mineral public land laws on all lands described in paragraph 2 may be presented to the Bureau of Land Management, 1245 North 29th Street, Billings, Montana, beginning on the date of this order. Such applications and selections will be considered as filed on the hour

and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the Act of September 27, 1944 (58 Stat. 474), as amended, presented prior to 10:00 a.m., on March 11, 1959, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a.m., on June 10, 1959, will be governed by the time of filing.

(3) All valid applications and selections under the non-mineral public land laws, other than those coming under paragraphs (1) and (2) above, presented prior to June 10, 1959, will be considered simultaneously filed at that hour.

5. Persons claiming veteran's preference rights under paragraph (2) above must enclose with their applications proper evidence of military or naval service preferably a complete photo-copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

6. Inquiries regarding the lands shall be addressed to the State Supervisor, Bureau of Land Management, 1245 North 29th Street, Billings, Montana.

R. D. NIELSON,  
State Supervisor.

[F.R. Doc. 59-757; Filed, Jan. 28, 1959;  
8:45 a.m.]

## ALASKA

### Notice of Proposed Withdrawal and Reservation of Lands

The Bureau of Land Management has filed an application, Serial Number F-022760 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws but excepting provisions of the mineral leasing law and disposals under the Materials Act. The applicant desires the land for a public recreation site.

For a period of sixty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may pre-

sent their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, P.O. Box 1050, Fairbanks, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

#### Black Rapids-Richardson Highway

Beginning at a point on the center line of the Richardson Highway 1,056 feet North of Milepost 225, which is located at approximately 63°30'06" North Latitude and 145°51'30" West Longitude; thence Northerly along the center line of said highway 5,544 feet, more or less, to the South boundary of a tract of land withdrawn by P.L.O. 1503; thence East along the South boundary of said tract 1,584 feet, more or less; thence South 4,752 feet, more or less; thence West 1,850 feet, more or less, to the center line of the Richardson Highway and the Point of Beginning; containing 304 acres, more or less.

RICHARD L. QUINTUS,  
Operations Supervisor,  
Fairbanks.

[F.R. Doc. 59-758; Filed, Jan. 28, 1959;  
8:46 a.m.]

## DEPARTMENT OF AGRICULTURE

### Commodity Stabilization Service CIGAR-FILLER (TYPE 41) TOBACCO<sup>1</sup>

#### Notice of Referendum

Notice is hereby given that on February 24, 1959, a referendum will be held of farmers engaged in the production in 1958 of cigar-filler (type 41) tobacco, pursuant to the provisions of the Agricultural Adjustment Act of 1938, as amended. Notice that consideration would be given to establishing a date for holding the referendum was given in 23 F.R. 7587. The purpose of the referendum is to determine whether the farmers voting favor national marketing quotas for each of the 1959-60, 1960-61 and 1961-62 marketing years for such kind of tobacco. The referendum will be conducted in accordance with the provisions of the Act and the regulations governing the holding of referenda on marketing quotas (23 F.R. 3432, 7285).

In order that arrangements for holding the referendum may be made in an orderly manner and as much advance notice as possible be given of the date of the referendum, it is essential that this be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest and this notice shall be effective upon filing of this document with the Director, Division of the Federal Register.

<sup>1</sup> See F.R. Doc. 59-776, *supra*.

Issued at Washington, D.C., this 26th day of January 1959.

[SEAL] TRUE D. MORSE,  
Acting Secretary of Agriculture.

[F.R. Doc. 59-777; Filed, Jan. 28, 1959;  
8:48 a.m.]

## BURLEY TOBACCO<sup>1</sup>

### Notice of Referendum

Notice is hereby given that on February 24, 1959, a referendum will be held of farmers engaged in the production in 1958 of burley tobacco, pursuant to the provisions of the Agricultural Adjustment Act of 1938, as amended. Notice that consideration would be given to establishing a date for holding the referendum was given in 23 F.R. 7587. The purpose of the referendum is to determine whether the farmers voting favor national marketing quotas for each of the 1959-60, 1960-61, and 1961-62 marketing years for such kind of tobacco. The referendum will be conducted in accordance with the provisions of the Act and the regulations governing the holding of referenda on marketing quotas (23 F.R. 3432, 7285).

In order that arrangements for holding the referendum may be made in an orderly manner and as much advance notice as possible be given of the date of the referendum, it is essential that this notice be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest and this notice shall be effective upon filing of this document with the Director, Division of the Federal Register.

Issued at Washington, D.C., this 26th day of January 1959.

[SEAL] TRUE D. MORSE,  
Acting Secretary of Agriculture.

[F.R. Doc. 59-778; Filed, Jan. 28, 1959;  
8:48 a.m.]

## VIRGINIA SUN-CURED TOBACCO<sup>1</sup>

### Notice of Referendum

Notice is hereby given that on February 24, 1959, a referendum will be held of farmers engaged in the production in 1958 of Virginia sun-cured tobacco pursuant to the provisions of the Agricultural Adjustment Act of 1938, as amended. Notice that consideration would be given to establishing a date for holding the referendum was given in 23 F.R. 7587. The purpose of the referendum is to determine whether the farmers voting favor national marketing quotas for each of the 1959-60, 1960-61 and 1961-62 marketing years for such kind of tobacco.

<sup>1</sup> See F.R. Doc. 59-779, *supra*.

<sup>2</sup> See F.R. Doc. 59-773, *supra*.

The referendum will be conducted in accordance with the provisions of the Act and the regulations governing the holding of referenda on marketing quotas (23 F.R. 3432, 7285).

In order that arrangements for holding the referendum may be made in an orderly manner and as much advance notice as possible be given of the date of the referendum, it is essential that this notice be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest and this notice shall be effective upon filing of this document with the Director, Division of the Federal Register.

Issued at Washington, D.C., this 26th day of January 1959.

[SEAL] TRUE D. MORSE,  
*Acting Secretary of Agriculture.*

[F.R. Doc. 59-780; Filed, Jan. 28, 1959;  
8:48 a.m.]

## MARYLAND TOBACCO<sup>1</sup>

### Notice of Referendum

Notice is hereby given that on February 24, 1959, a referendum will be held of farmers engaged in the production in 1958 of Maryland tobacco, pursuant to the provisions of the Agricultural Adjustment Act of 1933, as amended. Notice that consideration would be given to establishing a date for holding the referendum was given in 23 F.R. 7587. The purpose of the referendum is to determine whether the farmers voting favor national marketing quotas for each of the 1959-60, 1960-61, and 1961-62 marketing years for such kind of tobacco. The referendum will be conducted in accordance with the provisions of the Act and the regulations governing the holding of referenda on marketing quotas (23 F.R. 3432, 7285).

In order that arrangements for holding the referendum may be made in an orderly manner and as much advance notice as possible be given of the date of the referendum, it is essential that this notice be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest and this notice shall be effective upon filing of this document with the Director, Division of the Federal Register.

Issued at Washington, D.C., this 26th day of January 1959.

[SEAL] TRUE D. MORSE,  
*Acting Secretary of Agriculture.*

[F.R. Doc. 59-775; Filed, Jan. 28, 1959;  
8:48 a.m.]

<sup>1</sup> See F.R. Doc. 59-774, *supra*.

## SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 10-1 (Revision 2)]

### DIRECTOR, OFFICE OF FINANCIAL ASSISTANCE

#### Delegation Relating to Financial Assistance

Notice is hereby given that this delegation (23 F.R. 2627) is rescinded in its entirety without prejudice to any actions taken under this delegation.

Dated: January 7, 1959.

ALBERT C. KELLY,  
*Deputy Administrator for  
Financial Assistance.*

[F.R. Doc. 59-759; Filed, Jan. 28, 1959;  
8:46 a.m.]

[Delegation of Authority 10-9]

### DIRECTOR, OFFICE OF LOAN PROCESSING

#### Delegation Relating to Financial Assistance

I. Pursuant to the authority vested in the Deputy Administrator for Financial Assistance by the Administrator by Delegation of Authority No. 10 (Revision 3), as amended (23 F.R. 2627, 8435), there is hereby redelegated to the Director, Office of Loan Processing, the following authority:

A. *Specific.* 1. To approve or decline business and disaster loan applications, and to execute authorizations and modifications pertaining to such loans.

2. To approve amendments of loan authorizations for loans that have not been fully disbursed.

3. To determine eligibility of loan applicants, within the framework of prior determinations.

4. To accept for processing disaster loan applications received after expiration of the six months disaster period.

5. To approve or decline deferment until final maturity of a loan any installment of principal due on such loan within one month of final disbursement of such loan.

6. To authorize or approve his (a) personal travel and (b) the travel of Washington Office employees under his supervision, except travel when actual subsistence expenses are requested.

7. To approve (a) sick and annual leave, (b) leave without pay not in excess of 30 days, and (c) overtime work for employees under his supervision.

8. To authorize expenditures for registration fees not in excess of \$25.00 for each registration.

B. *Correspondence.* To sign all non-policy making correspondence, except Congressional correspondence, relating to the functions of the Office of Loan Processing.

II. The specific authority delegated in subsections I.A. 6, 7 (b) and (c) and 8, may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Director, Office of Loan Processing.

Dated: January 7, 1959.

ALBERT C. KELLY,  
*Deputy Administrator for  
Financial Assistance.*

[F.R. Doc. 59-760; Filed, Jan. 28, 1959;  
8:46 a.m.]

[Delegation of Authority 10-9a]

### LOAN REVIEW BOARD

#### Delegation Relating to Financial Assistance

I. Pursuant to the authority delegated to the Director, Office of Loan Processing, by Delegation of Authority No. 10-9, dated January 7, 1959, there is hereby redelegated to the Loan Review Board, the following authority:

A. *Specific.* When a majority of the Board concurs:

1. To approve or decline business and disaster loan applications.

2. To approve or decline amendments of loan authorizations for loans that have not been fully disbursed.

3. To approve or decline deferment until final maturity of a loan any installment of principal due on such loan within one month of final disbursement of such loan.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by a majority vote of the Board, when at least three members, regular or acting, participate in such actions.

IV. All previous authority delegated to the Loan Review Board (Delegation of Authority No. 10-4 (Revision 1), 22 F.R. 9848), is hereby rescinded without prejudice to actions taken under all such delegations prior to the date hereof.

Dated: January 19, 1959.

FRED B. OTELL,  
*Acting Director,  
Office of Loan Processing.*

[F.R. Doc. 59-761; Filed, Jan. 28, 1959;  
8:46 a.m.]

[Delegation of Authority 10-9b]

### CHAIRMAN, LOAN REVIEW BOARD

#### Delegation Relating to Financial Assistance

I. Pursuant to the authority delegated to the Director, Office of Loan Processing, by Delegation of Authority No. 10-9, dated January 7, 1959, there is hereby redelegated to the Chairman, Loan Review Board, the following authority:

A. *Specific.* 1. To certify any action taken by the Loan Review Board.

2. To approve annual and sick leave for employees under his supervision.

**B. Correspondence.** To sign teletype advices and notifications, other than Congressional, of Loan Review Board action, and correspondence regarding additional data required in connection with pending loan applications, reconsiderations thereof and amendments thereto.

II. The specific authority delegated in subsections I.A. 1 and 2 may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chairman, Loan Review Board.

IV. All previous authority delegated to the Chairman, Loan Review Board (Delegation of Authority No. 10-5 (Revision 1), as amended, dated April 1, 1958), is hereby rescinded without prejudice to actions taken under all such delegations prior to the date hereof.

Dated: January 19, 1959.

FRED B. OTELL,  
Acting Director,  
Office of Loan Processing.

[F.R. Doc. 59-762; Filed, Jan. 28, 1959;  
8:46 a.m.]

[Delegation of Authority 10-10]

#### DIRECTOR, OFFICE OF LOAN ADMINISTRATION

##### Delegation Relating to Financial Assistance

I. Pursuant to the authority vested in the Deputy Administrator for Financial Assistance by the Administrator by Delegation of Authority No. 10 (Revision 3), as amended (23 F.R. 2627, 8435), there is hereby re-delegated to the Director, Office of Loan Administration, the following authority:

**A. Specific.** 1. To approve amendments or modifications to loan authorizations covering fully disbursed loans.

2. To take all necessary actions in connection with the servicing, administration, collection and liquidation of partially or fully disbursed loans, other obligations and acquired property but is not authorized:

a. To sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon.

b. To accept or reject a compromise settlement of an indebtedness owed to the Agency for a sum less than the total amount due thereon.

c. To exercise any rights under the "Management Agreement" clause of a Loan Agreement.

d. To deny liability of the Small Business Administration under the terms of a participation agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation agreement.

3. To authorize or approve his (a) personal travel and (b) the travel of Washington Office employees under his supervision, except travel when actual subsistence expenses are requested.

4. To approve (a) sick and annual leave, (b) leave without pay not in ex-

cess of 30 days, and (c) overtime work for employees under his supervision.

5. To authorize expenditures for registration fees not in excess of \$25.00 for each registration.

**B. Correspondence.** To sign all non-policy making correspondence, except Congressional correspondence, relating to the functions of the Office of Loan Administration.

II. The specific authority delegated in subsections I.A. 3, 4 (b) and (c) and 5 may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Director, Office of Loan Administration.

Dated: January 7, 1959.

ALBERT C. KELLY,  
Deputy Administrator for  
Financial Assistance.

[F.R. Doc. 59-763; Filed, Jan. 28, 1959;  
8:46 a.m.]

[Delegation of Authority 10-10a]

#### CHIEF, LOAN SERVICING DIVISION

##### Delegation Relating to Financial Assistance

I. Pursuant to the authority delegated to the Director, Office of Loan Administration, by Delegation of Authority No. 10-10, dated January 7, 1959, there is hereby re-delegated to the Chief, Loan Servicing Division, the authority:

**A. Specific.** 1. To approve amendments or modifications of loan authorizations for loans that have been fully disbursed.

2. To take all necessary actions in connection with the servicing, administration, and collection of partially or fully disbursed loans but is not authorized:

a. To exercise any rights under the "Management Agreement" clause of a Loan Agreement.

b. To deny liability of the Small Business Administration under the terms of a participation agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation agreement.

c. To release insurance funds representing loss or damage to property securing an indebtedness owed to SBA, provided, however, that the Chief, Loan Servicing Division, may release such insurance funds if the proceeds are to be used to repair or replace the property securing an indebtedness or are applied on the indebtedness.

d. To designate proxies to vote at stockholders' meeting with respect to stock held as collateral and to determine the manner in which such stock shall be voted.

e. To approve the purchase of SBA's agreed portion of a participation loan.

f. To approve repurchase of an RFC loan sold under repurchase agreement.

g. To approve a sale to a financial institution of SBA's portion of a participation loan.

3. To approve sick and annual leave for employees under his supervision.

**B. Correspondence.** To sign non-policy making correspondence, except Congressional correspondence, relating to the functions of the Loan Servicing Division.

II. The specific authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Loan Servicing Division.

IV. All previous authority delegated to the Chief, Loan Servicing Division (Delegation of Authority No. 10-5 (Revision 1), 23 F.R. 2628), is hereby rescinded without prejudice to actions taken under all such delegations prior to the date hereof.

Dated: January 19, 1959.

ROBERT P. BUCK,  
Acting Director,  
Office of Loan Administration.

[F.R. Doc. 59-764; Filed, Jan. 28, 1959;  
8:47 a.m.]

[Delegation of Authority 10-10b]

#### CHIEF, LIQUIDATION DIVISION

##### Delegation Relating to Financial Assistance

I. Pursuant to the authority delegated to the Director, Office of Loan Administration, by Delegation of Authority No. 10-10, dated January 7, 1959, there is hereby re-delegated to the Chief, Loan Liquidation Division, the following authority:

**A. Specific.** 1. To take all necessary actions in connection with the liquidation of partially or fully disbursed loans, other obligations and acquired property, but is not authorized:

a. To sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon.

b. To accept or reject a compromise settlement of an indebtedness owed to the Agency for a sum less than the total amount due thereon.

c. To approve chargeoff of sums exceeding \$10,000 owed to SBA.

d. To approve acceleration of maturity of a note evidencing an indebtedness, and suit against debtors, guarantors and/or endorsers, when the amount of such indebtedness exceeds \$25,000.

2. To approve sick and annual leave for employees under his supervision.

**B. Correspondence.** To sign non-policy making correspondence, except Congressional correspondence, relating to the functions of the Liquidation Division.

II. The specific authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Liquidation Division.

Dated: January 19, 1959.

ROBERT P. BUCK,  
Acting Director,  
Office of Loan Administration.

[F.R. Doc. 59-765; Filed, Jan. 28, 1959;  
8:47 a.m.]

[Delegation of Authority 30-V-7]

**BRANCH MANAGER, MEMPHIS,  
TENN.****Delegation Relating to Financial As-  
sistance, Procurement and Techni-  
cal Assistance and Administrative  
Functions**

Notice is hereby given that this delega-  
tion (22 F.R. 8009, 23 F.R. 867, 4407) is  
rescinded in its entirety.

Dated: January 1, 1959.

JAMES F. HOLLINGSWORTH,  
Regional Director, Region V,  
Small Business Administration.

[F.R. Doc. 59-766; Filed, Jan. 28, 1959;  
8:47 a.m.]

[Delegation of Authority 30-V-16]

**MANAGER, DISASTER FIELD OFFICE,  
NASHVILLE, TENN.****Delegation Relating to Financial  
Assistance Functions**

I. Pursuant to the authority delegated  
to the Regional Director by Delegation  
No. 30 (Revision 4), as amended (22  
F.R. 5811, 8197, 23 F.R. 557, 1768), there  
is hereby delegated to the Manager of the  
Disaster Field Office, Nashville, Tennes-  
see, the following authority:

A. *Specific.* 1. To approve or decline  
disaster loans in an amount not exceed-  
ing \$50,000.

2. To execute loan authorizations for  
disaster loans approved under delegated  
authority, said execution to read as  
follows:

WENDELL B. BARNES, *Administrator,*

By: \_\_\_\_\_  
(Acting Manager, Disaster Field Office)

3. To modify or amend authorizations  
for disaster loans approved under dele-  
gated authority in any manner consistent  
with the original authority to approve  
loans.

B. *Correspondence.* To sign all non-  
policy making correspondence, except  
Congressional correspondence, relating  
to the functions of the Disaster Field  
Office.

II. The authority delegated herein  
may not be redelegated.

III. All authority delegated herein  
may be exercised by any SBA employee  
designated as Acting Manager of the Dis-  
aster Field Office.

Dated: January 2, 1959.

JAMES F. HOLLINGSWORTH,  
Regional Director, Region V,  
Small Business Administration.

[F.R. Doc. 59-767; Filed, Jan. 28, 1959;  
8:47 a.m.]

**FEDERAL COMMUNICATIONS  
COMMISSION**

[Docket Nos. 12701, 12702; FCC 59M-110]

**TOMAH-MAUSTON BROADCASTING  
CO., INC. (WTMB)****Order Continuing Hearing**

In re applications of Tomah-Mauston  
Broadcasting Company Incorporated  
(WTMB), Tomah, Wisconsin, Docket  
No. 12701, File No. BP-11615; for con-  
struction permit; Docket No. 12702, File  
No. BMT-8306; for modification of  
permit.

It is ordered, This 23d day of January  
1959, that the hearing now scheduled  
for January 26, 1959 is continued to  
Monday, February 2, 1959 at 10 a.m.,  
in the offices of the Commission, Wash-  
ington, D.C.

Released: January 23, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 59-782; Filed, Jan. 28, 1959;  
8:49 a.m.]

[Docket No. 12696; FCC 59M-113]

**BOOTH BROADCASTING CO. (WBBC)****Notice of Conference**

In re application of Booth Broadcast-  
ing Company (WBBC), Flint, Michigan,  
Docket No. 12696, File No. BP-11661;  
for construction permit.

Notice is hereby given that a pre-  
hearing conference will be held in the  
above-entitled proceeding at 10:00 a.m.  
on Friday, February 6, 1959, in Wash-  
ington, D.C.

Dated: January 23, 1959.

Released: January 26, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 59-783; Filed, Jan. 28, 1959;  
8:49 a.m.]

**INTERSTATE COMMERCE  
COMMISSION**

[Notice 78]

**MOTOR CARRIER TRANSFER  
PROCEEDINGS**

JANUARY 26, 1959.

Synopses of orders entered pursuant  
to section 212(b) of the Interstate Com-  
merce Act, and rules and regulations  
prescribed thereunder (49 CFR Part  
179), appear below:

As provided in the Commission's spe-  
cial rules of practice any interested per-  
son may file a petition seeking recon-  
sideration of the following numbered  
proceedings within 20 days from the date  
of publication of this notice. Pursuant  
to section 17(8) of the Interstate Com-  
merce Act, the filing of such a petition  
will postpone the effective date of the  
order in that proceeding pending its dis-  
position. The matters relied upon by  
petitioners must be specified in their  
petitions with particularity.

No. MC-FC 61600. By order of Janu-  
ary 21, 1959, the Transfer Board ap-  
proved the transfer to Atlantic & Pacific  
Moving Co., St. Louis, Mo., of Certificate  
in No. MC 75110, issued August 2, 1956,  
to Burton C. North, doing business as  
Atlantic & Pacific Moving Co., St. Louis,  
Mo., authorizing the transportation of:  
*Household goods* between St. Louis, Mo.,  
and points within 25 miles thereof, on  
the one hand, and, on the other, points  
in Illinois and Missouri; between St.  
Louis, Mo., and East St. Louis, Ill., and  
points within 50 miles of each, and points  
in eleven states; between Clay Center,  
Kans.; and points within 20 miles there-  
of, and points in six states; between  
Philadelphia, Pa., and points in five  
states and the District of Columbia; and  
between Kansas City, Mo., and points  
within 25 miles thereof, and points in  
Missouri and Kansas. Herbert Burstein,  
160 Broadway, New York 38, N.Y., for  
applicants.

No. MC-FC 61767. By order of Janu-  
ary 21, 1959, the Transfer Board ap-  
proved the transfer to James Transfer,  
Inc., Dubuque, Iowa of a portion of Cer-  
tificate No. MC 111320 Sub 3, issued  
June 2, 1950, to Curtis Keal Transport  
Co., Inc., authorizing the transportation  
of road building and earth moving ma-  
chines, over irregular routes, from Cedar  
Rapids, Iowa to points in Arizona, Cal-  
ifornia, Colorado, Idaho, Montana, Ne-  
vada, New Mexico, Oregon, Washington,  
Wyoming and Utah with no transporta-  
tion for compensation on return except  
as otherwise authorized. Roland Rice,  
618 Perpetual Building, 1111 E Street  
NW., Washington 4, D.C., for applicants.  
G. H. Dilla, 3350 Superior Avenue, Cleve-  
land 14, Ohio, for transferor.

No. MC-FC 61807. By order of Janu-  
ary 22, 1959, the Transfer Board ap-  
proved the transfer to D. J. King, Inc.,  
North Main Street, Branford, Conn., of  
a portion of the operating rights in Cer-  
tificate No. MC 77482 and the entire op-  
erating rights in Certificate No. MC  
77482 Sub 19, issued April 28, 1944, and  
December 12, 1949, respectively, to Peter  
H. Mortensen, Incorporated, 91 Nott  
Street, Wethersfield, Conn., authorizing  
the transportation over irregular routes,  
of *liquid petroleum products*, in bulk,  
from New Haven, Portland, Rocky Hill,  
East Hartford, Hartford, Wethersfield,  
and Saybrook, Conn., to points in Mas-



sachusetts on and west of Massachusetts Highway 12, and of liquid petroleum and liquid bituminous products, in bulk, in tank vehicles, from Groton, Conn., to points in Rhode Island and those in the above-described portion of Massachusetts.

[SEAL]

HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 59-769; Filed, Jan. 28, 1959;  
8:47 a.m.]

#### FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 26, 1959.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

#### LONG-AND-SHORT HAUL

FSA No. 35203: *Fertilizers—Louisiana and Texas points to St. Louis, Mo., group.* Filed by Southwestern Freight Bureau, Agent (No. B-7468), for interested rail carriers. Rates on fertilizers, carloads, as described in the application from Boutte and Luling, La., and Houston, Tex., to East St. Louis, Ill., and St. Louis, Mo.

Grounds for relief: Barge competition. Tariff: Supplement 34 to Southwestern Freight Bureau tariff I.C.C. 4290.

FSA No. 35205: *Fertilizer and materials—Pascagoula, Miss., to Southeast.* Filed by O. W. South, Jr., Agent (SFA No. A3765), for interested rail carriers. Rates on fertilizer and fertilizer materials, carloads from Pascagoula, Miss., to points in Alabama, Louisiana, and Mississippi.

Grounds for relief: Short line distance formula, grouping and motor carrier competition.

Tariff: Supplement 144 to Southern Freight Association tariff I.C.C. 1510.

#### AGGREGATE-OF-INTERMEDIATES

FSA No. 35204: *Fertilizers—Louisiana and Texas points to St. Louis, Mo., group.* Filed by Southwestern Freight Bureau, Agent (No. B-7469), for interested rail carriers. Rates on fertilizers, carloads, as described in the application from Boutte and Luling, La., and Houston, Tex., to East St. Louis, Ill., and St. Louis, Mo.

Grounds for relief: Maintenance of through one-factor rates from or to points beyond named points not depressed by same as from and to named points.

Tariff: Supplement 34 to Southwestern Freight Bureau tariff I.C.C. 4290.

By the Commission.

[SEAL]

HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 59-768; Filed, Jan. 28, 1959;  
8:47 a.m.]

